

Attorney's Docket No.: 0190 US/P

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper for Application No. 09/930,735 is being facsimile transmitted to the Patent and Trademark Office fax number (703) 308-6459 the date shown below.

  
Signature

March 13, 2003  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Angelika Semsch et al.  
Applic. No.: 08/930,735  
Filed: September 29, 1997  
For: Device for Preventing or Reducing Tipping of the Head  
Attention: Leonard Smith, PCT Legal Office

RECEIVED  
13 MAR 2003  
Legal Office  
International Division

PETITION TO REVIVE UNDER 37 C.F.R. 1.8(b)

Hon. Commissioner of Patents and Trademarks,  
Washington, D. C. 20231

Sir:

The facts leading to this petition are as follows:

Applicants have received a Notice of Abandonment, dated January 31, 2003, in this application. During a telephone call with Leonard Smith of the PCT Legal Office, counsel was informed that the Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b) which was faxed to the Patent Office on September 19, 2002, along with a credit card payment form to cover the small entity fee for the petition had not been received. The amendment bore a mailing certificate under 37 CFR 1.8, which was properly executed on that date.

Enclosed herewith, in accordance with Rule 8(b), is a copy of the previous mailing.

I hereby declare that the foregoing facts have been stated on a personal knowledge basis and that the above-noted paper was submitted timely in accordance with the rules and regulations. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

In view of the foregoing, it is requested that the application be reinstated.

Respectfully submitted,



For Applicant

WERNER H. STEMER  
REG. NO. 34,956

Date: March 13, 2003

LERNER AND GREENBERG, P.A.  
P.O. Box 2480  
Hollywood, Florida 33022-2480  
Tel.: (954) 925-1100  
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/tk

## MEMORY TRANSMISSION REPORT

TIME : 09-19-'02 14:14  
TEL NO.1 : +9549251101  
NAME : Lerner & Greenberg

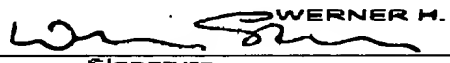
FILE NO. : 067  
DATE : 09.19 14:12  
TO : 817033086459  
DOCUMENT PAGES : 6  
START TIME : 09.19 14:12  
END TIME : 09.19 14:14  
PAGES SENT : 6  
STATUS : OK

TX ORIGINAL

Docket No.: J&amp;R-0190

CERTIFICATION OF FACSIMILE TRANSMISSION

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 WERNER H. STEMER  
Signature Date Sept. 19, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Angelika Somach et al.  
Applic. No. : 08/930.735  
Filed : September 29, 1997  
Title : Device for Preventing or Reducing Tipping of the Head  
Attention : James Thomson, PCT Legal Office

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(d)

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R:

1. This application became abandoned on September 30, 1997. Reference is had to the Decision on Petition mailed August 23, 2002 (copy enclosed).

2. This application became abandoned because of the failure to prosecute, as explained in the decision. The entire delay in filing the required reply from the due date until the filing of this grantable petition was unintentional. 37 C.F.R. 1.137(b)(3).


## 3. Response or action required

☒ has been filed. This petition is being filed to revive the national stage application to pending status. All papers are on file in application No. 08/930.735.

☐ is attached.

**D cket No.: J&R-0190****CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

 WERNER H. STEMER  
\_\_\_\_\_  
Signature                      Sept. 19, 2002  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Angelika Semsch et al.  
Applic. No. : 08/930,735  
Filed : September 29, 1997  
Title : Device for Preventing or Reducing Tipping of the Head  
Attention : James Thomson, PCT Legal Office

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

**Assistant Commissioner for Patents  
Washington, D.C. 20231**

Sir:

1. This application became abandoned on September 30, 1997. Reference is had to the Decision on Petition mailed August 23, 2002 (copy enclosed).

2. This application became abandoned because of the failure to prosecute, as explained in the decision. The entire delay in filing the required reply from the due date until the filing of this grantable petition was unintentional. 37 C.F.R. 1.137(b)(3).

3. Response or action required

☒ [X] has been filed. This petition is being filed to revive the national stage application to pending status. All papers are on file in application No. 08/930,735.

☐ [ ] is attached.

**4. Fee (37 C.F.R. 1.17(m))**

Application status is:

☒ Small Entity

**5. Payment of fee**

☒ Enclosed please find counsel's payment in the amount of \$640.00.

☒ Charge Account 12-1099 for any additional fee required.

WERNER H. STEMER  
REG. NO. 34,956



**SIGNATURE OF PRACTITIONER**

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PTO-2038 (02-2000) - modified

Approved for use through 01/31/2003. OMB 0651-0043

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<b>Payment Amount \$(US Dollars):</b> \$640.00			
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<b>3737-Small Entity Petition To Revive</b>			
<input checked="" type="checkbox"/> <b>Patent Fee</b>	<input type="checkbox"/> <b>Patent Maintenance Fee</b>	<input type="checkbox"/> <b>Trademark Fee</b>	<input type="checkbox"/> <b>Other Fee</b>
<b>Application No.</b> 08/930,735	<b>Application No.</b>	<b>Serial No.</b>	<b>IDON Customer No</b>
<b>Patent No.</b>	<b>Patent No.</b>	<b>Registration No.</b>	
<b>Attorney Docket No.</b> J&R 0190		<b>Identify or Describe Mark</b>	

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